

### REMARKS

The application has been carefully reviewed in light of the Office Action dated August 10, 2011. Claims 2 and 4 are in the application, of which Claim 2 is independent. Claim 4 remains withdrawn from consideration. Claim 3 has been cancelled without prejudice. Claims 2 and 4 have been amended herein. Reconsideration and further examination are respectfully requested.

Claims 2 and 3 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 2 and 3 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 2 and 3 were rejected under 35 U.S.C. § 112, second paragraph. These rejections are respectfully traversed, and are submitted to have been obviated by the amendments made herein.

With respect to non-elected Claim 4, rejoinder of this claim is respectfully requested upon the allowance of Claim 2, pursuant to MPEP § 821.04(b).

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

/Damond E. Vadnais/  
Damond E. Vadnais  
Attorney for Applicant  
Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, New York 10104-3800  
Facsimile: (212) 218-2200